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EXAMINER
LIU, ALAN Y

ART UNIT	PAPER NUMBER
3691	

NOTIFICATION DATE	DELIVERY MODE
04/24/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 January 2008</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-16</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>21 October 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is a second Office Action Final rejection on the merits.

Amendment received on 1/28/2008 has been acknowledged. Claims 1, 3-6, and 10-14

have been amended. Claims 15 and 16 have been added. Claims 1-16 are pending

and have been considered below.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   **Claims 1-7 and 10-16 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Mattila et al. (2003/0065777) in view of Westman et al.

(2004/0057442).

        As per claim 1, Mattila et al. discloses a method for managing customer

accounts in connection with a Pre-Paid platform (page 6, paragraph 0057), comprising:

        applications communicate with the Pre-Paid platform (page 6, paragraph 0057)

        the applications are arranged to communicate with at least one proxy and the

Pre-Paid platform correspondingly with a billing module, in which case the proxy and the

billing module communicated with each other in a logically predefined manner (page 3,

paragraph 0034; Figure 1),

the proxy is used to collect and manage the services used by the customers, the

billing models, and the rating (page 5, paragraph 0049; Figure 1, via DLS 102),

the billing module is used to bill the customer's Pre-Paid account, which is

located on the Pre-Paid platform, or in a system behind the Pre-Paid platform (page 3,

paragraph 0034; page 6, paragraph 0057), wherein

the proxy is used to control the delivery of the service used by the user (pages 4-

5, paragraphs 0043-00444, via transaction handler 204), and

the proxy prevents services being delivered to the user, if the user's pre-paid

account is empty, or if the price of the service is greater than the funds in the Pre-Paid

account (page 6, paragraph 0057, via charging handler checks user's pre-paid account

for validity and appropriate funds).

However, Mattila et al. fails to expressly disclose several proxies.

Westman et al. teaches a communication system and method for establishing a

connection to a serving network element with several proxies (page 4, paragraph 0056,

via proxies of specialized service operators if the access operators offers only access

service, e.g. GPRS network).

From this teaching of Westman et al., it would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify the method for

managing customer accounts in connection with a Pre-Paid platform of Mattila et al. to

include several proxies as taught by Westman et al. in order to make different

connections.

As per claim 2, Mattila et al. discloses the proxy is used to collect the price of the services used by the user and other similar data and to transmit this data to the billing module (page 5, paragraph 0049).

As per claim 3, Mattila et al. discloses price data is formed according to various billing principles (page 3, paragraph 0034; page 4, paragraph 0035; page 5, paragraph 0049).

As per claim 4, Mattila et al. discloses the proxy is used to control the delivery of the service used by the user (pages 4-5, paragraphs 0043-0044, via transaction handler 204).

As per claim 5, Mattila et al. discloses that a service code is transmitted to the Pre-Paid platform with the aid of a call's B-number formed by the billing module (pages 3-4, paragraphs 0034-0035; page 5, paragraph 0049; via the resource address or URL identifies the service and the termination number is the B-number).

As per claim 6, Mattila et al. discloses the proxy prevents services being delivered to the user, if the user's pre-paid account is empty, or if the price of the service is greater than the funds in the Pre-Paid account (page 6, paragraph 0057, via charging handler checks user's pre-paid account for validity and appropriate funds).

However, Mattila et al. fails to expressly disclose multiple proxies.

Westman et al. teaches a communication system and method for establishing a connection to a serving network element with several proxies (page 4, paragraph 0056, via proxies of specialized service operators if the access operators offers only access service, e.g. GPRS network).

From this teaching of Westman et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method for managing customer accounts in connection with a Pre-Paid platform of Mattila et al. to include several proxies as taught by Westman et al. in order to make different connections.

As per claim 7, Mattila et al. discloses the billing module (PCN) transfers to the Pre-Paid platform the real amount of the value of the service ordered by the user, in cash or other consideration, from the user's Pre-Paid account (page 4, paragraph 0035; page 6, paragraph 0057).

As per claim 10, Mattila et al. discloses converting the price or rating data obtained from the proxy into voice-calls (page 3, paragraph 0034, via call-detail record).

As per claim 11, Mattila et al. discloses call data includes at least a B-number and a time definition (page 3, paragraph 0034).

As per claim 12, Mattila et al. discloses a Pre-Paid mediator for managing customer accounts in connection with a Pre-Paid platform (page 6, paragraph 0057; Figure 1; page 3, paragraph 0034, via DLS provides facilities for charging a user's prepaid account), in which mediator there are

a billings means unit for communicating with the Pre-Paid platform (page 3, paragraph 0034), and

at least one proxy for communicating with applications (SMS, GPRS, MMS) (page 3, paragraph 0030), wherein

a data-transfer interface in the direction of the applications is formed to be

logically one-way, in which case the proxies can be made modular (page 3, paragraphs

0027-0028, via WAP allows for modularity),

the proxy include a unit for collecting and/or managing the price and other similar

data of the services used by customers (page 5, paragraph 0049; Figure 1, via DLS

102; page 7, paragraph 0064, via invention may involve one or more processing

systems), and

the billing unit includes a unit for billing a customer's Pre-Paid account in the Pre-

Paid platform (page 6, paragraph 0057),

the proxy is used to control the delivery of the service used by the user (pages 4-

5, paragraphs 0043-00444, via transaction handler 204), and

the proxy prevents services being delivered to the user, if the user's pre-paid

account is empty, or if the price of the service is greater than the funds in the Pre-Paid

account (page 6, paragraph 0057, via charging handler checks user's pre-paid account

for validity and appropriate funds).

However, Mattila et al. fails to expressly disclose several proxies.

Westman et al. teaches a communication system and method for establishing a

connection to a serving network element with several proxies (page 4, paragraph 0056,

via proxies of specialized service operators if the access operators offers only access

service, e.g. GPRS network).

From this teaching of Westman et al., it would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify the Pre-Paid

mediator for managing customer accounts in connection with a Pre-Paid platform of Mattila et al. to include several proxies as taught by Westman et al. in order to make different connections.

As per claim 13, Mattila et al. discloses the proxy is not in direct contact with the Pre-Paid platform (Figure 1; page 3, paragraph 0027; via indirect contact through the Internet).

However, Mattila et al. fails to expressly disclose multiple proxies.

Westman et al. teaches a communication system and method for establishing a connection to a serving network element with several proxies (page 4, paragraph 0056, via proxies of specialized service operators if the access operators offers only access service, e.g. GPRS network).

From this teaching of Westman et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Pre-Paid mediator for managing customer accounts in connection with a Pre-Paid platform of Mattila et al. to include several proxies as taught by Westman et al. in order to make different connections.

As per claim 14, Mattila et al. discloses a machine-readable medium having instructions stored thereon, such that when the instructions are read and executed by a processor (page 7, paragraphs 0060-0061, via programs having computer-readable program code embodied within computer-usable media), the processor is configured to perform the steps of:

applications communicate with the Pre-Paid platform (page 6, paragraph 0057,

via pre-paid charging methodology), wherein,

the applications are arranged to communicate with at least one proxy and the

Pre- Paid platform correspondingly with a billing module, in which case the proxy and

the billing module communicated with each other in a logically predefined manner (page

3, paragraph 0034; Figure 1), in which case

the proxy is used to collect and manage the services used by the customers, the

billing models, and rating (page 5, paragraph 0049; Figure 1, via DLS 102; page 7,

paragraph 0064, via invention may involve one or more processing systems), and

the billing module is used to bill a customer's Pre-Paid account, which is located

on the Pre-Paid platform, or in a system behind the Pre-Paid platform (page 3,

paragraph 0034; page 6, paragraph 0057), wherein

the proxy is used to control the delivery of the service used by the user (pages 4-

5, paragraphs 0043-00444, via transaction handler 204), and

the proxy prevents services being delivered to the user if the user's pre-paid

account is empty, or if the price of the service is greater than the funds in the Pre-Paid

account (page 6, paragraph 0057, via charging handler checks user's pre-paid account

for validity and appropriate funds).

However, Mattila et al. fails to expressly disclose several proxies.

Westman et al. teaches a communication system and method for establishing a

connection to a serving network element with several proxies (page 4, paragraph 0056,

via proxies of specialized service operators if the access operators offers only access

service, e.g. GPRS network).

From this teaching of Westman et al., it would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify the machine-

readable medium of Mattila et al. to include several proxies as taught by Westman et al.

in order to make different connections.

As per claim 15, Mattila et al. discloses a method for managing customer

accounts in connection with a Pre-Paid platform (page 6, paragraph 0057), in which

method

applications communicate with the Pre-Paid platform (page 6, paragraph 0057),

wherein,

the application including at least one of multimedia messaging (MMS), short

message service (SMS), or general packet radio system (GPRS) (page 1, paragraph

0005), and wherein, the application is arranged to communicate with a proxy and the

Pre-Paid platform correspondingly with a charging module (page 3, paragraph 0034;

Figure 1), in which case the proxy and the charging module communicated with each

other in a logically predefined manner, in which case

the proxy is used to collect and manage amount of service used by a customers,

charging model, an identification of a service used, and data concerning rating (page 5,

paragraph 0049),

the proxy sends the charging module data concerning the amount of service

used by the customer, the charging model, the identification of the service used, and the

data concerning rating (page 4, paragraph 0043, via transaction handler receives

download transaction request and processes the ticket; page 5, paragraph 0045, via

transaction handler calls charging handler), and

the charging module is used to bill the customer's Pre-Paid account, which is

located on the Pre-Paid platform, or coupled to the Pre-Paid platform (page 6,

paragraph 0057, via pre-paid charging methodology).

As per claim 16, Mattila et al. discloses a Pre-Paid mediator for managing

customer accounts in connection with a Pre-Paid platform (page 6, paragraph 0057;

Figure 1; page 3, paragraph 0034, via DLS provides facilities for charging a user's

prepaid account), in which mediator includes

a charging module for communicating with the Pre-Paid platform (page 3,

paragraph 0034), and

at least one proxy for communicating with at least one application including at

least one of short message service (SMS), general packet radio system (GPRS), or

multimedia messaging (MMS) (page 3, paragraph 0030; page 1, paragraph 0005, via

SMS), wherein

the data-transfer interface in the direction of the applications is formed to be

logically one-way, in which case the proxies can be made modular (page 3, paragraphs

0027-0028, via WAP allows for modularity),

the proxy includes a unit for collecting and managing an amount of services used

by a customer, data concerning pricing and an identification of a service used by a

customer (page 5, paragraph 0049; Figure 1, via DLS 102; page 7, paragraph 0064, via

invention may involve one or more processing systems),

the proxy sends the charging module the amount of services

used by the customer, the data concerning pricing and the identification of the

service used by the customer (page 4, paragraph 0043, via transaction handler receives

download transaction request and processes the ticket; page 5, paragraph 0045, via

transaction handler calls charging handler), and wherein

the charging module includes a unit for billing a customer's Pre-Paid account in

the Pre-Paid platform (page 3, paragraph 0034, via DLS provides facilities for charging).

However, Mattila et al. fails to expressly disclose several proxies.

Westman et al. teaches a communication system and method for establishing a

connection to a serving network element with several proxies (page 4, paragraph 0056,

via proxies of specialized service operators if the access operators offers only access

service, e.g. GPRS network).

From this teaching of Westman et al., it would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify the Pre-Paid

mediator for managing customer accounts in connection with a Pre-Paid platform of

Mattila et al. to include several proxies as taught by Westman et al. in order to make

different connections.

4.   **Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over Mattila et al. in view of Westman et al., and further in view of Stille et al.

(6,724,748)

As per claim 8, the Mattila and Westman combination discloses all elements of

the claimed invention as written above, but fails to expressly disclose that the billing

module transmits the billable data to the Pre-Paid platform, using an INAP protocol.

Stille et al. teaches using an INAP protocol (col. 2, lines 20-47).

From this teaching of Stille et al., it would have been obvious to one of ordinary

skill in the art at the time the invention was made to modify the method for managing

customer accounts of the Mattila and Westman combination to include using an INAP

protocol taught by Stille et al. because INAP is a signaling protocol for intelligent

networks that is used in addition to standard telecommunication protocols and provides

additional functionalities.

As per claim 9, the Mattila and Westman combination discloses all elements of

the claimed invention as written above, but fails to expressly disclose that the billing

modules transmits the billable data to the Pre-Paid platform, using a CAP protocol.

Stille et al. teaches using a CAP protocol (col. 2, lines 20-47).

From this teaching of Stille et al., it would have been obvious to one of ordinary

skill in the art at the time the invention was made to modify the method for managing

customer accounts of the Mattila and Westman combination to include using an CAP

protocol taught by Stille et al. because CAP is a signaling protocol based on INAP and

also brings additional benefits.

Response to Arguments

5.   Applicant's arguments filed 1/28/2008 with respect to claims 1 and 12 have been

fully considered but they are not persuasive. In the remarks, Applicant argues that

Mattila et al. does not disclose the Pre-paid Mediator and platform, and pre-delivery

control.

In response to the argument, Examiner respectfully disagrees. Mattila et al.

discloses a Pre-paid platform and mediator. The pre-paid platform is the software

framework used to charge for downloadable content (page 6, paragraph 0057, via

various charging mechanisms such as pre-paid charging methodology). The charging

facilities provided by the DLS (page 3, paragraph 0034) serve as a mediator for debiting

users' account balances within the whole system.

Mattila et al. discloses pre-delivery control. The transaction handler 204 handles

the download transaction request and controls pre-delivery by fetching the targeted file

from content storage 214 (pages 4-5, paragraphs 0043-0044). The file is eventually

delivered to the user. Additionally, the system of Mattila et al. prevents services from

being delivered to the user if the pre-paid account is empty or if funds are insufficient.

The charging handler checks the user's pre-paid account for validity and appropriate

funds (page 6, paragraph 0057). If approved, the desired content is fetched from the

content storage; otherwise, it is not. This is also another aspect of the pre-delivery

control.

Applicant's arguments that Mattila et al. does not disclose several proxies with respect to claims 1 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALAN LIU whose telephone number is (571)270-5113. The examiner can normally be reached on Monday through Thursday, 8:30AM-6:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alexander Kalinowski/
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